

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE LITIGATION)) MDL NO. 1456) Civil Action No. 01-12257-PBS) Subcategory No. 07-12141
THIS DOCUMENT RELATES TO:)) Judge Patti B. Saris
<i>State of Iowa</i>))
v.))
<i>Abbott Laboratories Inc., et al.</i>)

MAY 2009 STATUS REPORT FOR THE STATE OF IOWA

The undersigned counsel for the State of Iowa (hereinafter referred to as “plaintiff”) hereby submits the attached Status Report for May 2009, in accordance with the Court’s June 17, 2004 Procedural Order.

Dated: May 4, 2009

Respectfully submitted,

KIRBY McINERNEY, LLP
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New York, New York 10022
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By: /s/ Joanne M. Cicala

Joanne M. Cicala
Kathryn B. Allen

May 2009 Status Report for the State of Iowa

Discovery

1. Defendants' First Set of Interrogatories

On April 28, 2009, plaintiff served objections and responses to defendants' first set of interrogatories.

2. Individual Defendants' First Set of Interrogatories

On April 29, 2009, plaintiff served objections and responses to the following defendants' first set of interrogatories: Teva Pharmaceuticals USA, Inc.; Sicor, Inc.; Ivax Corporation and Ivax Pharmaceuticals, Inc.; and Barr Laboratories.

3. Defendants' Document Requests

Plaintiff has produced document and data (Iowa-AWP 000001 through 078480) in response to defendants' group and individual requests for production. Plaintiff has made an additional 1,000 plus boxes of potentially responsive documents available in Des Moines for defendants.

4. Paragraph 3 of the January 22, 2009 Case Management Order

During the month of April, the following defendants represented that they have produced to plaintiff all documents and data produced to any party in MDL 1456: Alparma, Inc.; Astrazeneca; Dey; Pfizer and Pharmacia; and Warrick. Plaintiff is verifying such representations. Plaintiff awaits such representations from defendant Watson.

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on the 4th day of May, 2009, she caused a true and correct copy of the above May 2009 Status Report for the State of Iowa to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

Dated: May 4, 2009

/s/ Kathryn B. Allen
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